

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George Frey )  
Application No.: 10/720,656 )  
Filing Date : November 24, 2003 )  
For : DISTRACTION AND )  
RETRACTION SYSTEM FOR )  
SPINAL SURGERY )

**REVOCATION AND APPOINTMENT OF ATTORNEY**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is the Assignee of the above-referenced patent application.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Alphatec Spine, Inc., 5818 El Camino Real, Carlsbad, CA 92008, Telephone Number 760-494-6835, **Customer No. 88,513**, with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Attached is a Statement under 37 CFR § 3.73(b), signed by a registrant of Alphatec Spine, Inc., setting forth a full chain of title for the subject application owned by the Assignee named below.

Please use **Customer No. 88,513** for all communications.

Dated: 6.16.09

By:   
George Frey, M.D.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: George FreyApplication No./Patent No.: 10/720,656Filed/Issue Date: November 24, 2003Titled: DISTRACTION AND RETRACTION SYSTEM FOR SPINAL SURGERYGeorge Frey, a Individual

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: WHITE, JOHN L., DERIDDER, STEVEN D. To: SDGI HOLDINGS, INC.

The document was recorded in the United States Patent and Trademark Office at

Reel 015558, Frame 0118, or for which a copy thereof is attached.

2. From: SDGI HOLDINGS, INC. To: WARSAW ORTHOPEDIC, INC.

The document was recorded in the United States Patent and Trademark Office at

Reel 020115, Frame 0812, or for which a copy thereof is attached.

3. From: FREY, GEORGE To: SDGI HOLDINGS, INC.

The document was recorded in the United States Patent and Trademark Office at

Reel 018126, Frame 0946, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

July 15, 2009

Date

Michael R. Shevin, Esq. - Reg. No. 38,724

Sr. Dir. - IP, Alphatec Spine

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: George FREY  
Application No./Patent No.: 10/720,656  
Filed/Issue Date: November 24, 2003  
(Name of Assignee) George FREY, an Individual  
Titled: DISTRACTION AND RETRACTION SYSTEM  
FOR SPINAL SURGERY

4. From: WARSAW ORTHOPEDIC, INC. To: FREY, GEORGE

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Office at Reel 020120, Frame 0560, or for which a copy thereof is attached.